

REMARKS

Claims 1-18 are pending in this application. Claims 2 and 10-18 are withdrawn from consideration. By this Amendment, claims 1, 2, 10 and 11 are amended and find support in the specification as filed at paragraphs [0008-0010]] and [0022].

The courtesies extended to Applicants' representative by Examiner Nelson and Supervisory Examiner Shosho at the interview held September 1, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview. In the interview, Applicants' representative and the Examiners also discussed the amendments and arguments from the August 27, 2009, Amendment ("Amendment").

I. Drawings

Applicants thank the Examiners for the indication that amended Figures 1 and 2 from the Replacement Sheet filed with the Amendment would most likely be found acceptable.

II. Rejection Under 35 U.S.C. §112, Second Paragraph

Applicants thank the Examiners for the indication that the amendments to claim 1 set forth in the Amendment would most likely overcome the rejection under 35 U.S.C. §112, second paragraph.

III. Rejection Under 35 U.S.C. §102(b)

The Office Action rejects claims 1, 3, 4 and 6-9 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,700,550 ("Uyama"). Applicants respectfully traverse this rejection.

Applicants have amended claim 1 to recite a discrimination medium comprising a multilayer film having plural light transparent films which are laminated and are different from each other in refraction index, the multilayer film having a surface; and a breakable print recording layer comprising one or more of a metal and an alloy provided at at least a portion

of at least the surface of the multilayer film, wherein when a thermosensitive breakage or an electronic discharge breakage is applied to a portion of the breakable print recording layer, the portion of the breakable print recording layer is removed from the discrimination medium, exposing one or more portions of the multilayer film, and wherein the exposed one or more portions of the multilayer film change in color depending on the viewing angle.

As discussed in the interview and in the Amendment, Uyama discloses a transparent hologram seal that includes a patterned separating or releasing layer 18 and an adhesion layer 16 affixed to a to-be-affixed object 20, wherein evaporated layer 10 is broken when the seal is separated from the to-be-affixed object 20. Uyama, Abstract, column 8, line 41 and column 9, lines 31-33. Further, Uyama describes that a portion of the evaporated layer 10, which corresponds to the patterned separation or releasing layer 18, remains on the to-be-affixed object 20, and that this remainder portion of the evaporated layer 10 is affixed to the hologram forming layer 4. Uyama, column 9, lines 33-39.

However, as admitted by the Examiners in the interview, Uyama fails to describe a discrimination medium comprising a breakable print recording layer comprising one or more of a metal and an alloy. The separating or releasing layer 18 of Uyama is instead a thermoplastic acryl resin. See Uyama, column 10, lines 1-2 and 11-12. As such, the separating or releasing layer 18 of Uyama is a thermoplastic layer and thus is not a breakable print recording layer comprised of one or more of a metal and an alloy, as recited in claim 1. Therefore, Applicants respectfully submit that Uyama fails to describe the discrimination medium of claim 1.

Accordingly, Uyama fails to anticipate claims 1, 3, 4 and 6-9. Withdrawal of the rejection is respectfully requested.

IV. Rejection Under 35 U.S.C. §103(a)

The Office Action rejects claim 5 under 35 U.S.C. §103(a) as allegedly being unpatentable over Uyama. Applicants respectfully traverse this rejection.

For at least the reasons discussed above, Uyama does not describe the discrimination medium of claim 1. Applicants respectfully submit that Uyama further fails to provide any reason or rationale for one of ordinary skill in the art to have derived a discrimination medium comprising a breakable print recording layer comprising one or more of a metal and an alloy, as recited in claim 1. As such Uyama also fails to render obvious claim 1.

Because claim 5 depends from claim 1, Applicants respectfully submit that Uyama also fails to render obvious dependent claim 5.

Withdrawal of the rejection is respectfully requested.

V. Further Amendments To Claim 1

During the interview, the Examiners alleged that claim 1 would not allow one to determine whether the discrimination medium or the breakable print recording layer changes color depending on the viewing angle.

Without acceding to the allegation, Applicants have amended claim 1 (in accordance with the Examiners' recommendation) to recite that a portion of the breakable print recording layer is removed from the discrimination medium, exposing one or more portions of the multilayer film, and wherein the exposed one or more portions of the multilayer film change in color depending on the viewing angle.

As such, Applicants respectfully submit that claim 1 is clear and definite.

VI. Rejoinder Of Withdrawn Claims

Applicants respectfully submit that claims 1 and 3-9 are in condition for allowance for at least the reasons discussed above, and therefore Applicants respectfully request rejoinder and consideration of withdrawn claims 2 and 10-18. MPEP §821.04 states that claims

eligible for rejoinder must depend from or require all the limitations of an allowable claim. Claims 2 and 12-18, drawn to a discrimination medium, and claims 10 and 11, drawn to a discrimination method for discriminating a discrimination medium, require all the limitations of independent claim 1, and therefore are eligible for rejoinder under MPEP §821.04. Accordingly, rejoinder of claims 2 and 10-18 is respectfully requested.

VII. Conclusion

In view of the foregoing, and the amendments and arguments in the Amendment, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



William P. Berridge
Registration No. 30,024

Christopher A. Fasel
Registration No. 59,204

WPB:CAF/hs

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OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

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